IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 9526 OF 2004

Shri. Shailesh Anandrao Jadhav ... Petitioner

Versus

Union of India and Ors. ... Respondents

Mr. A.P. Vanarse for Petitioner.

Mr.B.A. Desai, Addl. Sol. General with Mr. Y.R. Mishra and Mr. D.A. Dubey for R. no. 1.

CORAM : F.I. REBELLO &
DR.D.Y.CHANDRACHUD,JJ.
DATED : FEBRUARY 23, 2006

P.C.

. The Petitioner approached this court in October, 2004 praying therein that he be permitted to report and join the services of Armoured Corps Depot, ACC and School at Ahmednagar and further respondents be directed to continue to pay the monthly salary and other benefits from 1st October, 2003 with 18% interest p.a.

. During the pendency of the petition, certain subsequent events have taken place. A reply thereto has been filed on behalf of the Respondents. In the reply in Para 5, it has been

set out that a court martial was conducted against the Petitioner, which found him guilty on five charges and the Petitioner has been sentenced on 4.10.2005. One of the punishments imposed is to forfeit all arrears of pay and allowances and other public money.

. Once that be the case, it will not be open to this court to exercise its extra ordinary jurisdiction. It will be open to the Petitioner to take such other steps in law which he may be entitled to including statutory remedies under the provisions of the Army Act.

. With the above observations, Petition stands disposed of.

(F.I. REBELLO,J.)

(DR. D.Y. CHANDRACHUD,J.)